

1 QUINN EMANUEL URQUHART & SULLIVAN, LLP

Charles K. Verhoeven (Bar No. 170151)

2 charlesverhoeven@quinnemanuel.com

Melissa Baily (Bar No. 237649)

3 melissabaily@quinnemanuel.com

Lindsay Cooper (Bar No. 287125)

4 lindsaycooper@quinnemanuel.com

50 California Street, 22nd Floor

5 San Francisco, California 94111-4788

Telephone: (415) 875-6600

6 Facsimile: (415) 875-6700

7 *Attorneys for GOOGLE LLC*

8 UNITED STATES DISTRICT COURT

9 NORTHERN DISTRICT OF CALIFORNIA

10 SAN FRANCISCO DIVISION

11 GOOGLE LLC,

12 Plaintiff,

13 vs.

14 SONOS, INC.,

15 Defendant.

CASE NO. 3:20-cv-06754-WHA

Related to CASE NO. 3:21-cv-07559-WHA

**DECLARATION OF JOCELYN MA IN
SUPPORT OF SONOS, INC.'S
ADMINISTRATIVE MOTION TO
CONSIDER WHETHER ANOTHER
PARTY'S MATERIAL SHOULD BE
SEALED (DKT. NO. 175)**

I, Jocelyn Ma, declare and state as follows:

1. I am an attorney licensed to practice in the State of California and am admitted to practice before this Court. I am an associate at Quinn Emanuel Urquhart & Sullivan LLP representing Google LLC (“Google”) in this matter. I have personal knowledge of the matters set forth in this Declaration, and if called as a witness I would testify competently to those matters

2. I make this declaration in support of Sonos, Inc.’s (“Sonos”) Administrative Motion to Consider Whether Another Party’s Material Should Be Sealed (“Administrative Motion”) (Dkt. No. 175) filed in connection with Sonos’s Amended Answer to Google’s Second Amended Complaint and Sonos’s Counterclaims (“Amended Answer”) (Dkt. No. 170). If called as a witness, I could and would testify competently to the information contained herein.

3. Google seeks an order sealing the materials as listed below:

Document	Portions Sonos Sought to Be Filed Under Seal	Portions Google Seeks to Be Filed Under Seal	Designating Party
Sonos’s Amended Answer	Portions highlighted in green	Portions highlighted in green	Google
Exhibit AU	Entire Document	Entire Document	Google
Exhibit AV	Entire Document	None	Google
Exhibit AW	Entire Document	Entire Document	Google
Exhibit AX	Entire Document	None	Google
Exhibit AY	Entire Document	Entire Document	Google
Exhibit AZ	Entire Document	None	Google
Exhibit BA	Entire Document	None	Google
Exhibit BB	Entire Document	Entire Document	Google
Exhibit BC	Entire Document	None	Google
Exhibit BD	Entire Document	None	Google

1	Exhibit BE	Entire Document	Entire Document	Google
2	Exhibit BG	Entire Document	Entire Document	Google
3				
4	Exhibit BH	Entire Document	Entire Document	Google
5	Exhibit BI	Entire Document	Entire Document	Google
6	Exhibit BJ	Entire Document	None	Google
7				
8	Exhibit BL	Entire Document	Entire Document	Google
9	Exhibit BM	Entire Document	None	Google
10				
11	Exhibit BO	Entire Document	Entire Document	Google
12	Exhibit BP	Entire Document	Entire Document	Google
13	Exhibit CC	Entire Document	Entire Document	Google
14				
15	Exhibit CD	Entire Document	Entire Document	Google
16	Exhibit CE	Entire Document	Entire Document	Google
17	Exhibit CI	Entire Document	Portions outlined in red boxes	Google
18				
19	Exhibit CJ	Entire Document	Portions outlined in red boxes	Google
20	Exhibit CK	Entire Document	Portions outlined in red boxes	Google
21				
22	Exhibit CL	Entire Document	Portions outlined in red boxes	Google

23 4. I understand that the Court applies a “compelling reasons” standard to a sealing request
24 made in connection with an answer to a complaint. *See, e.g., VLSI Tech. LLC v. Intel Corp.*, No. 17-
25 CV-05671-BLF, 2021 WL 6063965, at *1 (N.D. Cal. Dec. 22, 2021); *Delfino Green & Green v.*
26 *Workers Compensation Sols., LLC*, No. 15-CV-02302-HSG, 2015 WL 4235356, at *2 (N.D. Cal. July
27 13, 2015).

1 5. The portions of Sonos's Amended Answer highlighted in green as well as Exhibits AU,
2 AW, AY, BB, BE, BG, BH, BI, and BL contain references to Google's confidential business
3 information and trade secrets, including details regarding source code, architecture, and technical
4 operation of Google's products. The specifics of how these functionalities operate is confidential
5 information that Google does not share publicly. Thus, I understand that the public disclosure of such
6 information could lead to competitive harm to Google as competitors could use these details regarding
7 the architecture and functionality of Google's products to gain a competitive advantage in the
8 marketplace with respect to their competing products. A less restrictive alternative than sealing would
9 not be sufficient because the information sought to be sealed is Google's confidential business
10 information and trade secrets but has been utilized by Sonos in support of Sonos's Amended Answer.

11 6. The portions of Exhibits CI, CJ, CK, and CL outlined in red boxes contain references
12 to Google's confidential business information and trade secrets, including details regarding source
13 code, architecture, and technical operation of Google's products. The specifics of how these
14 functionalities operate is confidential information that Google does not share publicly. Thus, I
15 understand that the public disclosure of such information could lead to competitive harm to Google as
16 competitors could use these details regarding the architecture and functionality of Google's products
17 to gain a competitive advantage in the marketplace with respect to their competing products.
18 Although Sonos's Administrative Motion sought to seal the entirety of these exhibits, Google seeks to
19 seal only the portions outlined in red boxes in the unredacted versions of Exhibits CI, CJ, CK, and CL
20 filed in connection with this Declaration. A less restrictive alternative than sealing the portions
21 outlined in red boxes would not be sufficient because the information sought to be sealed is Google's
22 confidential business information and trade secrets but has been utilized by Sonos in support of
23 Sonos's Amended Answer.

24 7. The portions of Sonos's Amended Answer highlighted in green as well as Exhibits BO,
25 BP, CC, CD, and CE contain confidential business agreements and licensing negotiations that are not
26 public. I understand that public disclosure of this information would harm Google's competitive
27 standing and its ability to negotiate future agreements by giving competitors access to Google's highly
28 confidential business thinking and asymmetrical information about Google's collaboration strategies

1 to other entities. A less restrictive alternative than sealing the highlighted portions would not be
2 sufficient because the information sought to be sealed is Google's proprietary and confidential
3 business information but has been utilized by Sonos in support of Sonos's Amended Answer.

4 I declare under penalty of perjury under the laws of the United States of America that to the
5 best of my knowledge the foregoing is true and correct. Executed on March 24, 2022, in San
6 Francisco, California.

7 DATED: March 24, 2022

8 By: /s/ Jocelyn Ma
9 Jocelyn Ma